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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,494	04/19/2004	Ken Xiao Kang Zhang	S63.2-11346-US01	3474
490 7590 06/10/2009 VIDAS, ARRETT & STEINKRAUS, P.A. SUITE 400, 6640 SHADY OAK ROAD EDEN PRAIRIE, MN 55344				
EXAMINER HUSON, MONICA ANNE				
ART UNIT 1791		PAPER NUMBER		
MAIL DATE 06/10/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KEN XIAO KANG ZHANG, JEFFREY S. LINDQUIST, VICTOR
L. SCHOENLE, SCOTT SCHEWE, DAVID PARSONS, NAO LEE and
YING XIONG

Appeal 2009-006304
Application 10/827,494
Technology Center 1700

Mailed: June 9, 2009

Before DALE M. SHAW, *Chief Appeals Administrator*

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on December 17, 2008. Upon review of the application, it has been determined that a remand to Examiner, via the Office of the Director of the Technology Center, is necessary to consider the following issues and to take necessary corrective action.

SUPPLEMENTAL EXAMINER'S ANSWER AFTER APPEAL
DOCKETING NOTICE

This application was electronically received by the Board of Patent Appeals and Interferences on December 17, 2008. An Appeal Docketing Notice was mailed by the Board on April 1, 2009. Subsequently, the Examiner filed a Supplemental Examiner's Answer to Appeal Brief on June 2, 2009 cancelling claims 3 and 21. It is appropriate to allow the Appellants the statutory two month response period to reply to the Supplemental Examiner's Answer to Appeal Brief mailed June 2, 2009.

Accordingly, it is hereby:

ORDERED that the application is remanded to the Examiner for further consideration.

DMS/nhl

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